
SUBSTITUTE HOUSE BILL 2665

State of Washington **65th Legislature** **2018 Regular Session**

By House Local Government (originally sponsored by Representatives Macri and Appleton)

READ FIRST TIME 02/02/18.

1 AN ACT Relating to eliminating certain requirements for the
2 annexation of an unincorporated island of territory; and amending RCW
3 35A.14.295, 35A.14.297, and 35A.14.299.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 35A.14.295 and 2013 2nd sp.s. c 27 s 1 are each
6 amended to read as follows:

7 (1) The legislative body of a code city may resolve to annex
8 territory to the city if there is within the city, unincorporated
9 territory:

10 (a) Containing less than one hundred seventy-five acres and
11 having all of the boundaries of such area contiguous to the code
12 city; or

13 (b) Of any size containing residential property owners and having
14 at least eighty percent of the boundaries of such area contiguous to
15 the city. Territory annexed under this subsection (1)(b) must be
16 within the same county and within the same urban growth area
17 designated under RCW 36.70A.110, and the city must plan under chapter
18 36.70A RCW.

19 (2) The resolution shall describe the boundaries of the area to
20 be annexed(~~(, state the number of voters residing therein as nearly~~
21 ~~as may be,)~~) and set a date for a public hearing on such resolution

1 for annexation. Notice of the hearing shall be given by publication
2 of the resolution at least once a week for two weeks prior to the
3 date of the hearing, in one or more newspapers of general circulation
4 within the code city and one or more newspapers of general
5 circulation within the area to be annexed.

6 (3) For purposes of subsection (1)(b) of this section, territory
7 bounded by a river, lake, or other body of water is considered
8 contiguous to a city that is also bounded by the same river, lake, or
9 other body of water.

10 **Sec. 2.** RCW 35A.14.297 and 1967 ex.s. c 119 s 35A.14.297 are
11 each amended to read as follows:

12 On the date set for hearing as provided in RCW 35A.14.295,
13 jurisdictions delivering services within the annexation area and
14 residents or property owners of the area included in the resolution
15 for annexation shall be afforded an opportunity to be heard. The
16 legislative body may provide by ordinance for annexation of the
17 territory described in the resolution(~~(, but the effective date of~~
18 ~~the ordinance shall be not less than forty five days after the~~
19 ~~passage thereof))~~). The legislative body shall cause notice of the
20 ((~~proposed~~)) effective date of the annexation, together with a
21 description of the property ((~~to be~~)) annexed, to be published at
22 least once each week for two weeks subsequent to passage of the
23 ordinance, in one or more newspapers of general circulation within
24 the city and in one or more newspapers of general circulation within
25 the area ((~~to be~~)) annexed. If the annexation ordinance provides for
26 assumption of indebtedness or adoption of a proposed zoning
27 regulation, the notice shall include a statement of such
28 requirements. ((~~Such annexation ordinance shall be subject to~~
29 ~~referendum for forty five days after the passage thereof. Upon the~~
30 ~~filing of a timely and sufficient referendum petition as provided in~~
31 ~~RCW 35A.14.299 below, a referendum election shall be held as provided~~
32 ~~in RCW 35A.14.299, and the annexation shall be deemed approved by the~~
33 ~~voters unless a majority of the votes cast on the proposition are in~~
34 ~~opposition thereto. After the expiration of the forty fifth day from,~~
35 ~~but excluding the date of passage of the annexation ordinance, if no~~
36 ~~timely and sufficient referendum petition has been filed, as provided~~
37 ~~by RCW 35A.14.299 below,~~)) The area annexed shall become a part of
38 the code city upon the date fixed in the ordinance of annexation.

1 **Sec. 3.** RCW 35A.14.299 and 2006 c 344 s 25 are each amended to
2 read as follows:

3 ~~((Such annexation ordinance as provided for in RCW 35A.14.297
4 shall be subject to referendum for forty five days after the passage
5 thereof. Upon the filing of a timely and sufficient referendum
6 petition with the legislative body, signed by qualified electors in
7 number equal to not less than ten percent of the votes cast in the
8 last general state election in the area to be annexed, the question
9 of annexation shall be submitted to the voters of such area in a
10 general election if one is to be held within ninety days or at a
11 special election called for that purpose according to RCW 29A.04.330.
12 Notice of such election shall be given as provided in RCW 35A.14.070
13 and the election shall be conducted as provided in RCW 35A.29.151.
14 The annexation shall be deemed approved by the voters unless a
15 majority of the votes cast on the proposition are in opposition
16 thereto.~~

17 ~~After the expiration of the forty fifth day from but excluding
18 the date of passage of the annexation ordinance, if no timely and
19 sufficient referendum petition has been filed,))~~ The area annexed
20 shall become a part of the code city upon the date fixed in the
21 ordinance of annexation. From and after such date, if the ordinance
22 so provided, property in the annexed area shall be subject to the
23 proposed zoning regulation prepared and filed for such area as
24 provided in RCW 35A.14.330 and 35A.14.340. If the ordinance so
25 provided, all property within the area annexed shall be assessed and
26 taxed at the same rate and on the same basis as the property of such
27 annexing code city is assessed and taxed to pay for any then
28 outstanding indebtedness of such city contracted prior to, or
29 existing at, the date of annexation.

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